

December 9, 2019

The Regular Meeting of the Mayor and Council of the City of Madison was held Monday, December 9, 2019, at 5:30 PM at the City of Madison Public Safety Building Meeting Hall, located at 160 N Main Street, Suite 400. Present were the following: Mayor Perriman; Mayor Pro Tem Blanton; Council Members DiLetto, Peters-Reid, Hodges, and Joyce; City Manager Nunn; City Clerk Hawk; Finance Officer Stapp; Planning Director Callahan; Main Street Director Huff; Information and Design Officer Kocher; and Attorney Carter. The meeting was called to order by Mayor Perriman and he welcomed those in attendance. Opening prayer and Pledge of Allegiance were led by members of council.

Approval Of Minutes Of Previous Meeting(S)

Joyce moved to approve the minutes from the regular meeting on November 11, 2019. Blanton second. Opportunity for discussion. Approved, vote unanimous (5:0).

Approval Of Order Of Agenda Items

Blanton moved to add "Receipt of Gift of Property" to IX. (f). DiLetto second. Opportunity for discussion. Approved, vote unanimous (5:0).

Zoning hearings

Public Hearing – Conditional Use (2019.013.CON) – Eva Foy – 291 Pine St. (M19 030) [R1]

Planner Bryce Jaeck summarized the staff report for Eva Foy's conditional use request for an accessory dwelling unit at 291 Pine St. He said the Planning and Zoning Commission recommended approval unanimously. Hodges asked if the Historic Preservation Commission would review changes to the building and Kocher said the item is on the agenda for December 10, 2019. Jaeck said if the request is approved, the property would need two parking spaces, and currently has one. Jaeck asserted that there is enough room on the property for four parking spaces. Joyce asked if a conditional use would be required for other similar uses. Jaeck said yes. Perriman opened and closed the public hearing. There were no comments. Hodges moved to approve the conditional use of an accessory dwelling at M19 030 based on the application, public hearing, and discussion, and considering applicable standards. Diletto second. Opportunity for discussion. Approved, vote unanimous (5:0).

Legal matters

Contract – Statewide Mutual Aid Agreement

Nunn said the Statewide Mutual Aid Agreement is renewed from time to time and it is a standard practice for most cities. He asked that it be approved as presented. DiLetto moved to approve the Statewide Mutual Aid Agreement. Peters-Reid second. Opportunity for discussion. Approved, vote unanimous (5:0).

Contract – Construction Agreement – Berry Coating - Town Park Fence Painting

Nunn said the agreement is a standard construction agreement. He explained that two quotes were received, and Berry Coating was the low bid at \$24,934. Berry Coating will paint all metal fencing and railing. He explained that the rails will be cleaned up before repainting. Diletto asked if the rails would be sand blasted and Nunn said no. Peters-Reid asked about the color of paint. Nunn said the color would remain the same. Perriman asked how long the paint will last, and Nunn said around 10-12 years. Joyce inquired about the original construction of the fence and Nunn provided background on the process by which the fence was acquired. Peters-Reid

moved to approve the contract with Berry Coating to paint the fence at Town Park. Blanton second. Opportunity for discussion. Approved, vote unanimous (5:0).

Contract – Construction Agreement – Fortis Engineering - Buckhead Road Water Main- Phase II

Nunn said the contract with Fortis Engineering is for a water main extension project that will extend the water main from the new soccer complex on Old Buckhead Road to Buckhead Manor. He said the contract is for labor only. Nunn said materials will be purchased by the city and provided to the contractor. Hodges asked how the line is currently operating, and Nunn provided an explanation. She asked if the city is at risk if of compromising the city water supply if too many homes tap on to the watermain. Nunn said he does not believe the supply would be in jeopardy. Joyce asked how many bids were received. Nunn said four bids were received. The highest bid was approximately \$170,000 and the winning bid was \$136,000. Nunn explained that once the extension is completed 7,000 feet, 5 fire hydrants, and a couple of valves will be added to the watermain. Joyce inquired about the possibility to discuss this type of contract at work sessions. After discussion it was determined that typically contracts are discussed, when possible, at work sessions; however, November's schedule did not allow for a work session due to Thanksgiving holiday. DiLetto moved to approve the agreement between the city and Fortis engineering to enhance workflow to Buckhead Manor. Joyce second. Opportunity for discussion. Approved, vote unanimous (5:0).

Contract – Grant Writing & Administration - 2020 CHIP Application

Callahan asked that Sherry Kurtz with Grant Specialist of Georgia be approved as the grant writer for the 2020 Chip Grant understanding that the grant admin fee will come out of normal housing budget and a future budget administration fee of \$6,000, that will be matched by the Methodist Church, provided the city is awarded the grant. The cost of the grant writing fee is \$1,500. Peters-Reid moved to approve Sherry Kurtz with Grant Specialist of GA as grant writer and administrator for the 2020 CHIP Application. Diletto second. Opportunity for discussion. Approved, vote unanimous (5:0).

Contract – Construction Agreement – Harrison and Harrison – Loves

Nunn said the contract with Harrison and Harrison will include work necessitated by the grading of land for the upcoming arrival of Loves Truck stop in which 1,000 feet of gas main will be installed, cleaned out and tested, and 1000 feet of existing gas main will be removed. The city will perform the work and invoice Loves for 100% of the cost. Joyce asked if Loves will become a gas customer, and Nunn said the restaurant within the truck stop, and perhaps heating, will utilize city gas services. Joyce moved to approve the contract with Harrison and Harrison. Blanton second. Opportunity for discussion. Approved, vote unanimous (5:0).

Real Estate Purchase – Airport Parcels

Nunn explained that two parcels near the airport were recently purchased as part of the runway extension project. Nunn said one parcel was purchased from the Donald Thurmond Trust for approximately \$44,600 and provides four additional acres. He said land was also purchased from the Hayes brothers in the amount of \$130,000 and adds 14.954 acres. Nunn said 90% of the cost for airport expansions come from federal funds and 5% from state funds, meaning the city will be responsible for 5% of the cost. He went on to say that expansion projects take place over long periods of time.

Resolution – HB 302 Opposition

Joyce said the county commissioners recently signed a similar resolution to oppose House Bill 302. A proposed bill that would take locally established building design regulations away from local governing authority. Nunn and Callahan discussed the bill and the restrictions it would place on local governing authorities. Joyce moved to accept the resolution opposing HB302. Blanton second. Opportunity for discussion. Approved, vote unanimous (5:0).

Alcohol Violation Appeal – Eatonton Road Food Mart – 1241 Eatonton Road - Marissa Nimmala

Code Enforcement Officer Philip Malcom said the owners of Eatonton Road Food Mart have installed cameras and lighting and have managed the loitering and drinking on premise. He is pleased with their adherence to the ordinance but suggested extending the probationary period 60 days to ensure continued compliance with the ordinance. Hodges asked that future instances be addressed in a written warning to the owners. DiLetto cautioned reversing the initial determination as it may set a precedent. Malcom said there were no issues with underage consumption or sales he was simply looking for compliance. An employee of Eatonton Road Food Mart explained that a fence will be installed in the future in addition to the lights and cameras already installed. He also reported that employees have identified individuals/customers who are repeat violators of the ordinance. Blanton moved to extend the appeal hearing to the regular meeting on February 10, 2020 to ensure continued compliance with the ordinance. Hodges second. Opportunity for discussion. Approved, (4:1 DiLetto Opposed).

2020 Alcohol License Renewals

Hawk reviewed the updated alcohol license renewal form presented to Mayor and Council. She explained that all businesses with a green tab have completed the renewal process. She brought two pending applications to their attention. She explained that the approval of SP7 LLC DBA Chevron Food Mart will be delayed as the owner is currently out of the country. Additionally, Eatonton Road Food Mart is awaiting the final copy of their bond and she asked that their renewal be approved pending the final receipt of the bond. Hodges moved to approve all 2020 alcohol license renewals with a green tab and approve Eatonton Road Food Mart pending the receipt of their bond. Peters-Reid second. Nunn asked for clarification on SP7 LLC DBA Chevron Food Mart. Hawk said the applicant for SP7 LLC is aware that they will not be renewed and will be placed on the agenda in January. Opportunity for discussion. Approved, vote unanimous (5:0).

Beer & Wine Retail Package Application – Hari Trading DBA Citgo - 1960 Eatonton Road – Applicant – Harsh Arora

Hawk said a new owner is taking over the Citgo at 1960 Eatonton Road. She said the applicant has met all requirements and asked that the business be approved for a 2020 license as they do not plan to take over ownership until January 1, 2020. Joyce moved to approve the beer and wine retail package application for Hari Trading DBA Citgo at 1960 Eatonton Road with applicant, Harsh Arora. Blanton second. Opportunity for discussion. Approved, vote unanimous (5:0).

Bed and Breakfast Renewal - Kirby House

Hawk said Jeff Royal, owner of the Kirby house, had inspections by the Fire Marshal and Building Inspector complete by mid-October and provided all necessary back up documentation for renewal. Peters-Reid moved to approve the bed and breakfast renewal for Kirby House.

DiLetto second. Nunn asked if this is the only bed and breakfast currently licensed. Hawk said yes. Approved, vote unanimous (5:0).

Receipt of Gift of Property

Nunn said the owner of tax parcel 035-049 has been contemplating gift of property for some time. He explained that the property was formerly annexed into the city and rezoned industrial. The property can be accessed off N. Fifth Street and totals approximately forty-one (41) acres. Nunn noted the property cannot be sold within a three-year time period. He said the gift is unique as it could have an at grade-rail. Blanton moved to accept the gift of property for tax parcel 035-049. DiLetto second. Opportunity for discussion. Approved, vote unanimous (5:0).

New business

Perriman mentioned a shooting that took place at Morgan Circle. He recalled a grant in the past that would provide added security for public housing and asked if the grant was still available. Callahan said the grant could come from the Monroe Housing Authority. Hodges asserted that issues in the area have improved. Bill Ashburn, Police Chief, said the police department is currently short staffed and worried that it may be hard to devote staff to a designated area. Callahan said the grant did not specify where the additional security would come from, and she suggested officers could come from another jurisdiction or a security guard could be hired. Staff was instructed to research potential grants and report at a future meeting.

DiLetto provided an update on the Downtown Development Authority activity in 2019 including: R & B Café success, Pearl Burney Room use has doubled, Lambert park land acquired, Habitat Humanity projects, workforce housing funding, and updates to the W. Washington Gateway project.

Hodges thanked DiLetto for his service to the city and said he is a dedicated public servant. Peters-Reid thanked DiLetto for his hard work, as did the city attorney. Joyce echoed their sentiments.

Real Estate Purchase – Airport Parcels (continued)

Carter asked that a resolution be prepared ratifying the acquisition of airport parcels. Hodges moved to approve a resolution. Blanton second. Opportunity for discussion. Approved, vote unanimous (5:0).

Appointment of City Attorney

Blanton summarized the city attorney review and recommended Attorney James Carter's reappointment.

Appointment of Municipal Court Judge

Joyce summarized the Municipal Court Judge review for Charles Merritt and recommended reappointment.

Appointment of City Solicitor

DiLetto summarized the review of City Solicitor Lee Moss and recommended reappointment and a pay raise. After further discussion, it was determined that Nunn would research City Solicitor salaries in the surrounding area and present the findings at a future meeting.

DiLetto moved to appoint Charles Merritt as Municipal Court Judge, James Carter as City Attorney, and Lee Moss as City Solicitor. Blanton second. Opportunity for discussion. Approved, vote unanimous (5:0).

Public Service Appointments Corridor Design Commission

Kocher said four boards run January through December and therefore there is a need to re-appoint and/or appoint committee members. He said there are four terms ending for the Corridor Design Commission. One term is a vacant seat, Rick Wadsworth and Jamie Williams are interested in reappointment and Barbara Groover has not chosen to re-apply; therefore, there are two spots that need appointment, but applications have not been forthcoming. Hodges moved to postpone appointments until January 13, 2020, Regular Meeting. DiLetto second. Opportunity for discussion. Approved, vote unanimous (5:0).

Historic Preservation Commission (HPC)

Kocher reviewed four current vacancies on HPC. He said Nancy Bush and Chuck Dorr are willing to serve another two-year term. He also reviewed individuals interested in appointment including Zeb Grant, Wes Ryals, and Zach Sittler. Joyce thanked Joe Smith and Richard Simpson for their years of service as they get ready to roll off the commission. DiLetto asked Joyce for input on appointments and he obliged.

Joyce moved to re-appoint Nancy Bush to the Historic Preservation Commission for a two-year term. Blanton second. Opportunity for discussion. Approved (4:1 Hodges opposed).

Joyce moved to re-appoint Chuck Dorr to a two-year term. Blanton second. Opportunity for discussion. Approved (4:1 DiLetto opposed).

Joyce moved to appoint Glen Eskew to a two-year term. Blanton second. Opportunity for discussion. Approved (3:2 Hodges, DiLetto opposed).

Hodges moved to appoint Zeb Grant to a two-year term. DiLetto second. Opportunity for discussion. Approved, vote unanimous (5:0).

Housing Opportunity Commission

DiLetto moved to postpone Housing Opportunity Commission and Planning and Zoning Commission to the January 13, 2020 Regular Meeting. Blanton second. Opportunity for discussion. Approved (4:1 Joyce abstained).

Other business of council

Nunn made officials aware of a project in which a sewer line will be re-built near the Board of Education. He said two thirds of the cost will be covered by the Board of Education and the rest will be covered by the city. The cost for the city is \$15,000.

Mayor Perriman expressed gratitude to Council Member DiLetto for his years of service as an elected official. DiLetto recounted his time on council and noted several highlights from his time in office.

Public Comments

Chief Bill Ashburn clarified that police officers were not working on movie sets while on duty. They were paid by the movie crew.

Adjournment

With no further business, Mayor Perriman adjourned the regular meeting.

Approved: _____
Fred Perriman, Mayor

Attest: _____
Ashley Hawk, City Clerk

Date: _____